

PROB 12C
Rev 2/03
RE: RANSON, Shawn
1:01CR00032

United States District Court

for

Southern District of Ohio

Petition for Warrant or Summons for Offender Under Supervision

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: **Shawn Ranson**

Case Number: **1:01CR00032**

Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber**
United States Senior District Judge

Date of Original Sentence: **April 12, 2002**

Original Offense: **Conspiracy to Distribute and Possess with Intent to Distribute Cocaine and Cocaine Base, a Class C felony, in violation of 21 U.S.C. § 846.**

Original Sentence: **57 months prison, 36 months supervised release**

Type of Supervision: **Term Of Supervised Release** Date Supervision Commenced: **April 22, 2005**

Assistant U.S. Attorney: **Kenneth L. Parker, Esq.** Defense Attorney: **C. Ransom Hudson, Esq.**

PETITIONING THE COURT

- To issue a warrant
- To issue an Order to Appear and Show Cause
- To grant an exception to revocation without a hearing and Modify the Conditions of Supervision.

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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#1	Ranson submitted urine samples to his US Probation Officer which tested positive for the presence of marijuana on May 9, 2007, June 1, 2007, November 20, 2007, and December 4 th , 12 th , 14 th , 17 th , and 21 st , 2007. He submitted samples which tested positive for marijuana and cocaine on December 5, 2007 and December 6, 2007.
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U.S. Probation Officer Recommendation:

On April 12, 2002, Ranson was sentenced to 57 months imprisonment, to be followed by 36 months of supervised release, after being convicted of Conspiracy to Distribute and Possess with Intent to Distribute Cocaine and Cocaine Base, a Class C felony, in violation of 21 U.S.C. § 846. He commenced his term of supervision on April 22, 2005.

In April 2006, USPO Robert C. Frommeyer, Jr. notified the Court that the offender had been charged with Driving Under the Influence of Alcohol in Hamilton County, Ohio on March 5, 2006. USPO Frommeyer

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subsequently informed the Court Ransom was convicted of that offense, and the Court modified his conditions of supervision to include a five month term of home confinement with electronic monitoring. Ranson completed his term of home confinement on July 21, 2007. He also participated in weekly substance abuse treatment group sessions and bi-weekly individual treatment sessions from June 2007 to November 2007. His treatment included drug testing, and all urine samples collected tested negative for the presence of illicit substances. However, on November 20, 2007, which was 13 days after completing treatment, Ranson submitted a urine sample to this officer which tested positive for the presence of marijuana. Ranson admitted to this officer that he had smoked marijuana on more than one occasion, reportedly as a way to cope with stress due to a separation from his girlfriend. Ranson was placed on the random drug testing program by this officer on December 4, 2007. However, he subsequently returned samples which tested positive for marijuana on December 4th, 12th, 14th, 17th, and 21st, 2007 and for marijuana and cocaine on December 5, 2007 and December 6, 2007. It is noted that Ranson previously submitted samples on May 9, 2007 and June 1, 2007 which tested positive for the presence of marijuana.

Regarding employment, Ranson reports he is self employed and he provides brick cleaning and janitorial services. However, he has not provided sufficient proof of gainful employment to this officer to allow him to conclude with confidence that the offender has viable employment. In addition, the offender has reported to this officer that he has a great deal of free time. On December 5, 2007, Ranson advised this officer that he was just hired full-time by Speedy Maintenance, and he plans to begin employment in a few days.

Ranson has an extensive substance abuse history. He was convicted of Driving Under the Influence of Alcohol last year, and he completed a five month term of home confinement and several months of substance abuse treatment as a result. However, he returned to drug use two weeks following his discharge from treatment. It is this officer's opinion that the offender is in need of a structured environment that will hold him accountable for his continued violation behavior and allow this officer to more closely monitor his activities. It is noted Ranson's term of supervised release is scheduled to expire on April 21, 2008. Although revocation is mandatory pursuant to 18 U.S.C. § 3583(g)(4) because Ranson has tested positive for illegal controlled substances more than three times over the course of one year, this officer respectfully recommends the Court grant an exception to revocation under 18 U.S.C. § 3583(d) and adopt the proposed modification. Ranson met with Assistant Federal Public Defender Richard Smith-Monahan regarding his right to a hearing. Ranson voluntarily waived his right to a hearing and signed the attached waiver agreeing to the proposed modification.

The term of supervision should be

- Revoked.
- Extended for years, for a total term of years.
- Continued based upon the exception to revocation under 18 U.S.C. § 3583(d.)
- The conditions of supervision should be modified as follows:

The supervised releasee shall reside in a halfway house facility in the work release component for a period of 60 days. While in the program, the supervised releasee must abide by all of the program's rules and regulations, participate in all required programming, and be cooperative and compliant with the program's staff.

I declare under penalty of perjury that
the foregoing is true and correct.

Executed on December 26, 2007

Approved,

by

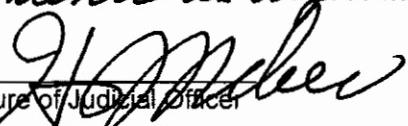
Thomas Barbeau
U.S. Probation Officer
Date: December 26, 2007

John C. Colby, Jr.
Robert C. Frommeyer, Jr.
Supervising U.S. Probation Officer
Date: 12/26/07

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THE COURT ORDERS:

- [] No Action
- [] The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the issuance of a Warrant for his/her arrest.
- [] The Issuance of an Order to Appear and Show Cause
- The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions. *is continued as modified. ~~the~~ all other conditions of supervision is continuing as originally provided.*
- [] Other


Signature of Judicial Officer12/27/07Date
